

REMARKS/ARGUMENTS

In the Office Action dated May 3, 2006, the Examiner has rejected Claims 2-10 under 35 USC 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner contends that there is insufficient antecedent basis for the limitation “the distance” recited in line 1 of Claim 2. By this paper, the subject limitation (now found in Claim 1 as amended) has been amended to provide proper antecedent basis, and it is respectfully submitted that this rejection should now be removed.

Further, the Examiner has rejected Claims 1 and 11 under 35 U.S.C. 102(b) as being anticipated by Keller et al. (U.S. Patent No. 5,261,655). However, the Examiner has kindly indicated that Claims 2-10 and 12 would be allowable if rewritten to include all the limitations of the base claim and any intervening claims. Accordingly, by this paper, Claim 1 has been amended to more particularly point out that which the Applicant regards as the invention by including the allowable subject matter of Claim 2 (now cancelled without prejudice), and Claim 3 has been amended to have proper dependency upon amended Claim 1. As such, it is respectfully submitted that amended independent Claim 1, and Claims 3-10 and 12 (as well as Claims 11, 13, and 14) dependent upon amended Claim 1, which are the claims remaining in this Application are now allowable.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. §1.99.

This Application is now believed to be in condition for favorable reconsideration and early allowance, and such actions are respectfully requested.

U.S. Patent Application Serial No. 10/790,426 – Filed: March 1, 2004
Amendment Dated: July 26, 2006
Reply to Office Action Dated: May 3, 2006

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company, Deposit Account No. 05-0225.

A duplicate copy of this request is enclosed.

Respectfully submitted,

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